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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,731	07/31/2003	Takenori Yoshizawa	0717-0513P	9350
2292	7590	07/31/2006	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			WUJCIAK, ALFRED J	
			ART UNIT	PAPER NUMBER
			3632	

DATE MAILED: 07/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/630,731

Applicant(s)

YOSHIZAWA, TAKENORI

Examiner

Alfred Joseph Wujciak III

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2006.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 5-18 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1,2,5-10,12-14 and 17 is/are rejected.
7) ☒ Claim(s) 15-16 and 18 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 13 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/4/05.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This is the final Office Action for the serial number 10/630,731, DISPLAY SUBSTRATE ACCOMMODATING TRAY AND APPARATUS AND METHOD FOR REMOVING THE DISPLAY SUBSTRATE, filed on 7/31/03.

Specification

The disclosure is objected to because of the following informalities: Figure 9 of the drawing shows the supporting member (45) contains roller (46) which is indefinite because the roller is bigger than the hole of the display substrate accommodating tray (10) and table (42). The specification explains that the supporting member extends through the hole of tray and that if the roller is bigger than the hole of the display substrate accommodating tray, there will be no way for the roller to enter through the hole of the tray.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 9-10 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent # 6,260,706 to Koefeld.

Koefeldt teaches a tray (figure 1) comprising a bottom section (12), a frame (14, 16, 18 and 20) and engaging section (30, 32, 39) extending from a side surface of the frame in a substantially horizontal fashion. The frame is provided along a periphery of the bottom section and projects to a level higher than a level of a top surface of the bottom section. The frame has a positioning portion (on the bottom surface of 14,16,18,20 and as shown in figure 3). The bottom section includes a plurality of openings (28).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6-8, 13 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koefeldt in view of Japan Patent Publication #11-059893 to Akihiro.

Koefeldt teaches a tray (figure 1) comprising a bottom section (12), a frame (14, 16, 18 and 20) and engaging section (30) extending from a side surface of the frame in a substantially horizontal fashion. The frame is provided along a periphery of the bottom section and projects to a level higher than a level of a top surface of the bottom section. The frame has a positioning portion (on the bottom surface of 14,16,18,20 and as shown in figure 3). The bottom section includes a plurality of openings (28).

Koefeldt teaches the device above but fails to teach plurality of first supporting members and a second supporting member. Akihiro teaches a plurality of first supporting members (33) and a second supporting member (32). The plurality of first supporting members are inserted into the plurality of openings. It would have been obvious for one of ordinary skill in the art at the time the invention was made to have added first supporting members and second supporting member to Koefeldt's device as taught by Akihiro to provide convenience for removing an object from the bottom section of tray.

In regards to claim 8, Koefeldt in view of Akihiro teaches all elements above but fails to teach the elements in method. It would have been obvious for one of ordinary skill in the art at the time the invention was made to have specified steps for setting up elements together to provide convenience for removing object from the tray.

In regards to claim 17, Koefeldt in view of Akihiro teaches the first supporting member is a rod having a top portion but fails to teach the top portion is larger than a remaining portion of rod. It would have been obvious for one of ordinary skill in the art at the time the invention was made to have modified the top portion larger than the remaining portion of rod to provide designer's choice for the shape and width of the rod.

Claims 5 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koefeldt in further view of Japan Patent # 236,953 to Nakajima et al.

Koefeldt teaches the bottom section and frame but fails to teach the bottom section and frame are formed from a synthetic resin foam material. Nakajima et al. teaches the synthetic foam material (10). It would have been obvious for one of ordinary skill in the art at the time the invention was made to have modified Koefeldt's bottom section and frame with synthetic resin

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foam material as taught by Nakajima et al. to provide designer's preference of material to use for bottom section and frame.

Allowable Subject Matter

Claims 15-16 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In regard to claims 15-16, the prior art fails to teach the second supporting member is adapted to move upwards or downwards. In regards to claim 18, the prior art fails to teach each of the first supporting members has a roller provided at a top end thereof.

Response to Arguments

Applicant's arguments with respect to claims 1-3 and 5-14 have been considered but are moot in view of the new ground(s) of rejection.

With respect to applicant's argument on page 7 stating that the office action used Koefeld's feet 46, 48, 50, 52 as positioning portion however the feet do not provide a secure engagement between trays. Since the applicant included "along an entire periphery of said frame" in amended claims 1-9, the examiner changed the reference numbers for the positioning portion to the bottom surface of frame (14, 16, 18 and 20 as shown in figure 3). The bottom surface of the frame has the ability to sit on the other tray as in stacked up configuration.

The applicant argues that Koefeld's handle 30 does not meet the claimed limitation for claim 14. The examiner intended not to limit the engaging section to element 30, elements 32

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and 39 can also be considered as engaging section that provide grip for a human being to lift and transport the tray.

With respect to applicant's argument, the applicant argues that the second member 32 in Akihiro's invention remains stationary and does not provide support while the display substrate is being raised above the accommodating tray. The examiner disagrees with the applicant because claim 6, lines 11-12 states that "a second supporting member for supporting the display substrate accommodating tray while the display substrate is being raised above the accommodating tray," the applicant is not claiming the second support member is movable or in motion for supporting the display substrate accommodating tray but supports it. Element 32 in Akihiro's invention shows that it supports the display substrate accommodating tray when the display substrate is being raised.

On pages 8-9, the applicant argues that "Nakajima discloses a manufacturing method that incorporates a foamed sheet body 10. Applicant submits that Nakajima also fails to teach or suggest the claimed "positioning portion." The examiner disagrees with the applicant because first of all Koefeldt teaches the positioning portion and the examiner used Nakajima reference for modifying Koefeldt's frame and bottom section material to foamed material.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alfred Joseph Wujciak III whose telephone number is (571) 272-6827. The examiner can normally be reached on 8am-4:30pm.

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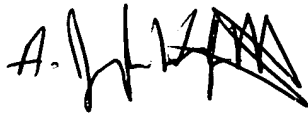
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Friedman can be reached on (571) 272-6815. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alfred Joseph Wujciak III

Examiner

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A handwritten signature in black ink, appearing to read 'A. J. Wujciak III', with a stylized, overlapping flourish at the end.

7/21/06